

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

DANIEL B. GRAVES,  Plaintiff,  v.  DEUTSCHE BANK SECURITIES, INC.,  Defendant.	<b>CIVIL ACTION NO.</b> <b>1:07-cv-05471-BSJ-KNF</b>
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**DECLARATION OF RICHARD T. SEYMOUR IN  
OPPOSITION TO DEFENDANT'S MOTION FOR  
SANCTIONS**

Washington, D.C., ss:

I make the following declaration subject to the penalties for perjury:

1. I am one of the attorneys of record for plaintiff in this action.
2. Exhibit 1 hereto is Plaintiff's July 18, 2007, Memorandum of Law in Opposition to Defendant's Motion for Partial Dismissal of Plaintiff's Complaint and to Strike Portions of the Complaint (Doc. # 11).
3. Exhibit 2 hereto is a copy of Defense Document 14, "OpCo Regional Subgroup / Individual Banaker Summary / Managing Directors," Bates-numbered DB 000117 through DB 000129. Defendant produced this document in discovery on February 21, 2008.
4. Exhibit 3 hereto is a copy of Defense Document 15, "OpCo Regional Subgroup / Individual Banaker Summary / Directors," Bates-numbered DB 000130 through DB 000140. Defendant produced this document in discovery on February 21, 2008.
5. Exhibit 4 hereto is a copy of an e-mail I sent to defense counsel on May 29, 2008.

6. Exhibit 5 hereto is a copy of an e-mail defense counsel sent to plaintiff's counsel on May 30, 2008.

7. Exhibit 6 hereto is a copy of an e-mail I sent to defense counsel on May 30, 2008.

8. Exhibit 7 hereto is a copy of an e-mail defense counsel sent to plaintiff's counsel on May 30, 2008.

9. Exhibit 8 hereto is a copy of my May 20, 2008, letter to defendant on the deficiencies in its February 21, 2008, production and its failures to respond to a number of prior letters on deficiencies. The attachments to that letter are not included.

10. Exhibit 9 hereto consists of the cover page and pp. 23-27 of defendant's July 3, 2007, Memorandum of Law in Support of Defendant's Motion for Partial Dismissal of Plaintiff's Complaint and to Strike Portions of the Complaint (Doc. # 5).

11. Exhibit 10 hereto is a copy of the July 8, 2008, letter I sent to defense counsel on substituting a corrected and revised Second Amended and Supplemental Complaint. The substitute Complaint provided to defense counsel with the letter is not included in Exhibit 10.

/s/ Richard T. Seymour  
Richard T. Seymour (RS-8094)

Dated: July 11, 2008